

BEFORE THE  
**Federal Communications Commission**  
WASHINGTON, D. C. 20554

**RECEIVED**  
OCT - 5 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Amendment of Section 73.202(b), ) MM Docket No.  
Table of Allotments, ) RM-  
FM Broadcast Stations. )  
(Chester and Westwood, California) )

TO: Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

**PETITION FOR RULEMAKING**

Tom F. Huth (Huth), permittee of FM Broadcast Station KTOR, Channel 259A, Chester, California, pursuant to Section 1.420(i) of the Commission's Rules, hereby respectfully submits this Petition for Rulemaking, and respectfully requests that the Commission amend the FM Table of Allotments, 47 CFR §73.202(b), in the following respects:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Chester, California	255C, 259A	255C
Westwood, California	--	259A

In so doing, the following is shown:

**Preliminary Statement**

1. Section 1.420(i) of the Commission's Rules provides that in the course of a rulemaking proceeding to amend the FM Table of Allotments, Section 73.202(b) of the

Rules, "the Commission may modify the license or permit of an [FM broadcast station] to specify a new community of license where the amended allotment would be mutually exclusive with the licensee's or permittee's present assignment".

2. In the instant case, Huth, the new permittee of station KTOR(FM), seeks to reallocate Channel 259A (99.7 MHz) from Chester, California to Westwood, California, a community located 19.22 km (11.94 miles) east of Chester in Lassen County, California<sup>1</sup>. The use of Channel 259A at Westwood is mutually-exclusive with the use of Channel 259A at Chester.

3. The standard under which this Petition must be considered is whether the proposed reallocation of Channel 259A from Chester to Westwood would result in a preferential arrangement of allotments pursuant to the Commission's Change of Community procedures. See **Modification of FM and TV Authorizations to Specify a New Community of License**, 4 FCC Rcd 4870 (1989), recon. granted in part, 5 FCC Rcd 7094 (1990).

4. As will be demonstrated in greater detail below, the granting of this Petition will result in a first local

---

<sup>1</sup>There are communities called "Westwood" and "Westwood Village" located in Los Angeles County, California. This petition has nothing to do with those places; the Westwood described in this petition is in Lassen County in northeastern California.

commercial aural broadcast service for Westwood, while Chester, a community similar in size to Westwood (2000 U. S. Census population 2,316) will still have service from existing licensed commercial FM Broadcast Station KBNF, Channel 255C (98.9 MHz). As Westwood is an independent community to which a broadcast station may be licensed, a grant of this Petition would serve the public interest, convenience and necessity.

**Statement of Interest**

5. Should the Commission grant this Petition, Huth will file any and all appropriate and necessary applications to effectuate the modification of his authorization for KTOR to specify Westwood, California as his community of license, and he would then construct KTOR as a Westwood station.

**Community Characteristics of Westwood, California**

6. Westwood is a community located on California Highway 36, 11.94 miles east of Chester, California and 20.12 miles (32.38 km) west of Susanville, California, the seat of Lassen County. Westwood is located in Lassen County, just east of the Lassen-Plumas county line. Westwood is listed in the 2000 U. S. Census, with a population of 1,998. It has its own post office and zip code, 96137.

7. Westwood is unincorporated but receives municipal services (including water and sewer) from the Westwood

Community Services District. Westwood is served by the Westwood Unified School District, which includes the Fletcher Walker Elementary School and the Westwood High School. Westwood has 7 churches: Our Lady of the Snows Roman Catholic Church; Assembly of God Church; Calvary Chapel of Westwood; First Baptist Church; Kingdom Hall of Jehovah's Witnesses; Lake Almanor Community Church; and Peoples Church. It has a Chamber of Commerce, a Masonic Temple, a Senior Citizens Club and, according to the listings obtained from the CD-Rom *Phone Disc Business Pro, 3<sup>rd</sup> Edition*<sup>2</sup>, over 150 commercial establishments (See Exhibit A). Westwood's history dates back to the beginning of the 20<sup>th</sup> century, when it was the home of the Red River Lumber Company. According to a world wide web site maintained by Lassen County<sup>3</sup>, Red River constructed and operated what was at the time the world's largest electrical sawmill. Today, the community is a commercial center for the Lake Almanor region of northeast California.

#### **Section 307(b) and Technical Considerations**

8. Were this Petition to be granted, Westwood would receive its first local service, thus fulfilling allotment

---

<sup>2</sup>Published by Digital Directory Assistance, Inc. of Bethesda, Maryland in 1996.

<sup>3</sup><http://www.co.lassen.ca.us/about.htm>

priority (3) of the Commission's allotment priorities<sup>4</sup>. This action would not deprive Chester of local service as Station KBNF(FM) is licensed to Chester.

9. The reallocation proposal is consistent with the requirements set forth in *Change of Community*, supra. As noted above, Channel 259A is an unbuilt facility but Huth would ultimately construct a Westwood facility on Channel 259A that is different than the site specified in his present construction permit for Channel 259A at Chester. In order to address the issue of potential gain and loss areas, as well as the various engineering issues raised by his proposal, Huth retained the consulting radio engineering firm of Hatfield and Dawson of Seattle, Washington, whose qualifications are well known to the Commission. The Hatfield and Dawson report is appended hereto as Exhibit B.

10. Messrs. Hatfield and Dawson show that a Westwood station located at a site on Dyer Mountain, California<sup>5</sup> would provide service to 9,523 people in an area of 2,515 square kilometers; the presently authorized facility at Chester would provide service to 6,845 persons in an area of

---

<sup>4</sup>The FM allotment priorities are: (1) First full-time aural service; (2) Second full-time service; (3) First local service; and (4) Other public interest matters. [Co-equal weight is given to priorities (2) and (3).] See *Revision of FM Assignment Policies and Procedures*, 90 FCC Rcd 29 88 (1982).

<sup>5</sup>The reference coordinates for the Dyer Mountain site are: N. Lat. 40° 14' 21" and W. Long. 121 01' 52; the reference coordinates for the community of Westwood are N. Lat. 40° 18' 22" and W. Long. 121 00' 17".

2,515 square kilometers. Messrs. Hatfield and Dawson further show that the gain area achieved by the move from Chester to Westwood will encompass 3,120 persons in an area of 1,274 square kilometers, while the loss area only encompasses 442 persons in an area of 1,274 square kilometers. With respect to the loss area, Messrs. Hatfield and Dawson determined that all persons within the loss area will continue to receive primary service from 22 AM and FM broadcast stations; a 66 square kilometer area which receives just 4 aural services is uninhabited land within the Lassen National Forest. Thus the proposed reallocation of Channel 259A from Chester to Westwood would result in a net gain of 2,678 persons, with all persons in the loss area continuing to receive five or more broadcast services.

11. Further, Messrs. Hatfield and Dawson have determined that that the reallocation will not remove service from a rural area to serve an urban area as Westwood is not located within a U.S. Census Urbanized Area. Therefore, no further study under the doctrine of **Faye and Richard Tuck**, 3 FCC Rcd 5374 (1988), is required.

12. As demonstrated in Exhibit B, Channel 259A can be allotted to Westwood in compliance with the Commission's minimum distance separation requirements at Huth's specified site coordinates at Dyer Mountain.

Conclusion

13. Westwood is an independent community that is entitled to its own local aural broadcast station. The reallocation of Channel 259A from Chester to Westwood will leave Chester with one operating commercial aural broadcast station, KBNF(FM), Channel 255C. This will serve the Commission's FM channel allocation priorities and be fully consistent with a "fair, efficient and equitable distribution" of broadcast channels among the states and communities as required by 47 U.S.C. §307(b).

14. A grant of this Petition would be consistent with a growing line of cases where the Commission has allowed the reallocation of FM frequencies from one community to another. Just in the past three months, the Commission has permitted such reallocations in the following cases: **FM Table of Allotments, McCall, Idaho and Pinesdale, Montana**, DA 01-2249, 16 FCC Rcd --, 2001 WL 1142257 (Bureau, September 28, 2001); **FM Table of Allotments, Oswego and Granby, New York**, DA 01-2205, 16 FCC Rcd --, 2001 WL 1104563 (Bureau, September 21, 2001); **FM Table of Allotments, Elkhorn City and Coal Run, Kentucky**, DA 01-1909, 16 FCC Rcd --, 2001 WL 897389 (Bureau, August 10, 2001); **FM Table of Allotments, Naches, Sunnyside and Benton City, Washington**, DA 01-1910, 16 FCC Rcd --, 2001 WL 897391 (Bureau, August 10, 2001); and **FM Table of Allotments, Albemarle and Indian**

**Trail, North Carolina**, DA 01-1660, 16 FCC Rcd --, 2001 WL 788684 (Bureau, July 13, 2001). The results in all these cases, when applied to the facts in this case, compel a similar result.

**WHEREFORE**, Tom F. Huth urges that this Petition for Rulemaking **BE GRANTED** and that Channel 259A **BE REALLOCATED** from Chester, California to Westwood, California.

Respectfully submitted,

**TOM F. HUTH**

By



Dennis J. Kelly  
(D. C. Bar #292631)  
His Attorney

LAW OFFICE OF DENNIS J. KELLY  
Post Office Box 6648  
Annapolis, MD 21401-0648  
Telephone: 888-322-5291

October 5, 2001



## EXHIBIT A

ACE IN THE HOLE 449 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3241  
ADAMS & LEE LANDSCAPING 155 RAINBOW DR WESTWOOD, CA 96137 916-256-3702  
ALMANOR ACE HARDWARE 449 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3241  
ALMANOR ANIMAL BOARDING HWY 147 EASTSHORE WESTWOOD, CA 96137 916-596-3239  
ALMANOR APPLIANCE 3881 MARY ANN LN WESTWOOD, CA 96137-9500 916-596-4208  
ALMANOR BUSY BEE REALTY 417 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3298  
ALMANOR CUSTOM HOMES 621 LAKE RIDGE RD WESTWOOD, CA 96137-9529 916-259-2237  
ALMANOR DRAFTING & DESIGN 401 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-4455  
ALMANOR DRY DOCK 461 FIREHOUSE RD WESTWOOD, CA 96137 916-596-3364  
ALMANOR EAST CAFE 5160 STATE HIGHWAY 147 SHR WESTWOOD, CA 96137-9712 916-284-7220  
ALMANOR ELECTRIC INC 419 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3388  
ALMANOR ENERGY PLUS INC 3732 BIG SPRINGS RD WESTWOOD, CA 96137-9783 916-596-3128  
ALMANOR LAKESIDE LODGE 3747 E SHORE DR WESTWOOD, CA 96137 916-284-7376  
ALMANOR PROPERTIES INC 313 PENINSULA DR WESTWOOD, CA 96137-9682 916-596-3232  
ALMANOR REAL ESTATE INV 441 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3707  
ALMANOR WEST GOLF COURSE 111 SLIM DR WESTWOOD, CA 96137 916-259-4555  
AM PAR MANUFACTURING CO INC 2624 BIG SPRINGS RD WESTWOOD, CA 96137-9773 916-596-3106  
AMBULANCE SERVICE FIRE WESTWOOD, CA 96137 916-256-3333  
ASSEMBLY OF GOD 624 ASH WESTWOOD, CA 96137 916-256-3405  
AURELIA MANUFACTUS WESTWOOD, CA 96137 916-596-4141  
B B BUILDING 26A 8TH AVE WESTWOOD, CA 96137 916-256-2373  
B JS BAR B QUE & DELI WESTWOOD, CA 96137 916-596-4210  
BABES BLUE OX 671450 HWY 36 WESTWOOD, CA 96137 916-256-2677  
BARTHOLOW ENGINEERING Box #-2818 WESTWOOD, CA 96137-2818 916-596-3040  
BEATY & ASSOCIATES INC 3RD WESTWOOD, CA 96137 916-256-2326  
BEAVERS 324 BIRCH WESTWOOD, CA 96137 916-256-2302  
BETTYS ART GLASS Box #-2765 WESTWOOD, CA 96137-2765 916-596-3139  
BEVS COLLECTIBLES & GIFTS 312 BIRCH WESTWOOD, CA 96137 916-256-3348  
BIG COVE RESORT LAKE ALMANOR WESTWOOD, CA 96137 916-596-3349  
BIGGS BOY TOYS 314 BIRCH WESTWOOD, CA 96137 916-256-3449  
BIGGS BUTCHERY 323 BIRCH WESTWOOD, CA 96137 916-256-3448  
BOB CORSON DRYWALL WESTWOOD, CA 96137 916-256-3737  
BONNIE & CLYDES CLIP JOINT WESTWOOD, CA 96137 916-596-3271  
BOSWORTH MASONRY & TILE LAKE ALMNR DR WESTWOOD, CA 96137 916-596-3741  
BRANCH VIDEO WESTWOOD, CA 96137 916-596-4217  
BROGLIO CONSTRUCTION 401 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3076  
BUD BOSWORTH MASONRY 3761 LAKE ALMANOR DR WESTWOOD, CA 96137-9769 916-596-3741  
BUFFALO CHIPS PIZZA 322 BIRCH WESTWOOD, CA 96137 916-256-2412  
BUSY BEE REALTY ALMANOR 417 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3298  
C ANDROY CONSTRUCTION 623 ASH WESTWOOD, CA 96137 916-256-3482  
CALIFORNIA INVESTIGATIVE AGCY Box #-2511 WESTWOOD, CA 96137-2511 916-596-3781  
CALVARY CHAPEL OF WESTWOOD 607 ELM WESTWOOD, CA 96137 916-256-3309  
CAMELLIA ELECTRIC INC 3320 HILL CREST DR WESTWOOD, CA 96137-9765 916-344-2033  
CARPET KING WESTWOOD, CA 96137 916-596-3372  
CATHOLIC CHURCH OUR LADY SNOWS 425 CEDAR CIR WESTWOOD, CA 96137-9508 916-256-3344  
CHALET REALTY WESTWOOD, CA 96137 916-596-3221  
CHAMPION SAW SERVICE HWY 36 & HEMLOCK WESTWOOD, CA 96137 916-256-3315  
CHICAGO TITLE INSURANCE CO 401 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3261  
CLEAR CREEK MOTEL 667150 STATE HIGHWAY 147 WESTWOOD, CA 96137-9701 916-256-3166  
COFFIS AUTO REPAIR 212 3RD WESTWOOD, CA 96137 916-256-3877  
COOPERSMITH CONSTRUCTION Box #-2832 WESTWOOD, CA 96137-2832 916-258-2662  
CREEKSIDE CHIROPRACTIC WESTWOOD, CA 96137 916-596-3253  
CRYSTAL MILK PRODUCTS 1105 HEMLOCK WESTWOOD, CA 96137 916-256-3732  
CURTAIN CLASSICS & DRAPERY Box #-P WESTWOOD, CA 96137-0823 916-256-2402  
CUSTOM CARVING PRODUCTS 522 ELM WESTWOOD, CA 96137 916-256-3971  
DADDYS DINER 666790 STATE HIGHWAY 147 WESTWOOD, CA 96137-9758 916-256-3163  
DAN WILSON CONSTRUCTION 3679 FIR LN WESTWOOD, CA 96137-9703 916-596-3392  
DAVID VAN METER & LEONA 204 FIR WESTWOOD, CA 96137 916-256-3777  
DELUCCI CONSTRUCTION 3259 HILL CREST DR WESTWOOD, CA 96137-9717 916-596-4278  
DONS AUTO & 4 X 4 REPAIR 212 SMITH DR WESTWOOD, CA 96137 916-256-3670  
DORADO INN 4379 STATE HIGHWAY 147 SHR WESTWOOD, CA 96137-9760 916-284-7790  
EQUITYLINK ASSOCIATES 1157 LAKE RIDGE RD WESTWOOD, CA 96137-9533 916-259-5626  
EROOM 314 BIRCH WESTWOOD, CA 96137 916-256-2345  
EVERGREEN CLEANING SERVICE WESTWOOD, CA 96137 916-596-3572  
FARRIS PLUMBING 2735 BIG SPRINGS RD WESTWOOD, CA 96137-9774 916-596-3524  
FEATHER RIVER APARTMENTS 100 DELWOOD WESTWOOD, CA 96137 916-256-3029  
FEATHER RIVER ROCK CO 3843 MARY ANN LN WESTWOOD, CA 96137-9500 916-596-3636  
FINE THINGS 423 A PENINSULA DR WESTWOOD, CA 96137 916-596-3366  
FINE THINGS 432 PENINSULA DR WESTWOOD, CA 96137-9679 916-258-3388  
FIRST BAPTIST CHURCH 401 DELWOOD WESTWOOD, CA 96137 916-256-3507  
FIRST MOUNTAIN MORTGAGE 1157 LAKE RIDGE RD WESTWOOD, CA 96137-9533 916-259-5005  
FLETCHER WALKER ELEM SCHL 5TH WESTWOOD, CA 96137 916-256-3295  
FOREST COMMUNITY RESEARCH 3RD WESTWOOD, CA 96137 916-256-2391  
FRANK ARGISO CONCRCT CONSTRCTN WESTWOOD, CA 96137 916-259-3367  
FRMRS INS AGNT JERRY ANGRISANI 401 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-4100  
GARRITYS WESTWOOD AUTO PARTS HWY 36 & A 21 WESTWOOD, CA 96137 916-256-3231  
GAS VAK 509 ASH WESTWOOD, CA 96137 916-256-3498  
GENERAL STORE Box #-1207 WESTWOOD, CA 96137-1207 916-256-3586  
GENERAL STORE 401 BIRCH WESTWOOD, CA 96137 916-256-3586  
GEORGE YOUNGS MARKET 323 BIRCH WESTWOOD, CA 96137 916-256-3251  
GREG LOPEZ CONCRETE CNTRCTNG 507 PENINSULA DR WESTWOOD, CA 96137-9555 916-596-3939

H & H MICRO COMPUTER 723 TIMBER RIDGE RD WESTWOOD, CA 96137-9571 916-596-4457  
 H SHOLIN REALTY 441 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3294  
 HAIR DOCTOR 310 BIRCH WESTWOOD, CA 96137 916-256-3010  
 HAMILTON BRANCH CMNTY SVC DIST WESTWOOD, CA 96137 916-596-3002  
 HARRISON DRYWALL Box #-3315 WESTWOOD, CA 96137-3315 916-259-2909  
 HIGH SIERRA CAMPGROUND 326 PENINSULA DR WESTWOOD, CA 96137-9678 916-596-3575  
 HOLT LOGGING INC FF WESTWOOD, CA 96137-0806 916-256-3104  
 HOLT LOGGING INC HWY 36 & DELWOOD WESTWOOD, CA 96137 916-256-3104  
 HOUSE OF CUSTOM CABINETS 411 ARBUTUS DR WESTWOOD, CA 96137-9501 916-596-3725  
 IMAGES HAIR TEAM 401 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3920  
 INQUIRE INVESTIGATIVE SERVICES WESTWOOD, CA 96137 916-259-3838  
 JACK KLEKENNELLY 1049 PENINSULA DR WESTWOOD, CA 96137-9583 916-596-4435  
 JAMES T MOON CONSTRUCTION WESTWOOD, CA 96137 916-256-2604  
 JERRY V KEHR INC OBRIEN REAL 146 LAKE ALMANOR WEST DR WESTWOOD, CA 96137 916-259-4801  
 JOANNES FLORAL 313 ASH WESTWOOD, CA 96137 916-256-3387  
 JOHN DONAHUE TAX & BKPG SVC WESTWOOD, CA 96137 916-256-2104  
 JON L SALTSGAVER GENERAL CONTR 423 DELWOOD WESTWOOD, CA 96137 916-256-3050  
 JONES SPACELINK CABLE TV 322 ASH WESTWOOD, CA 96137 916-256-3818  
 KELLYS APPRAISAL SERVICE 123 PINE CIR WESTWOOD, CA 96137 916-256-3931  
 KINGDOM HALL OF JEHOVAHS WTNS HWY 36 WESTWOOD, CA 96137 916-256-2177  
 KITCHEN COUP ANTIQUES 340 PENINSULA DR WESTWOOD, CA 96137-9678 916-596-3818  
 KNOTTY PINE RESORT 430 PENINSULA DR WESTWOOD, CA 96137-9679 916-596-3348  
 KOKANEE LODGE 452 PENINSULA DR WESTWOOD, CA 96137-9679 916-596-3215  
 L C TELEPHONE REPAIR & INSTLTN 667055 SPRING CREEK DR WESTWOOD, CA 96137-9425 916-256-2453  
 LACC MUTUAL WATER CO 501 PENINSULA DR WESTWOOD, CA 96137-9555 916-259-2161  
 LAKE ALMANOR APPLIANCE 3881 MARY ANN LN WESTWOOD, CA 96137-9500 916-596-4208  
 LAKE ALMANOR COMMUNITY CHURCH HWY A13 33 WESTWOOD, CA 96137 916-596-3683  
 LAKE ALMANOR COUNTRY CLUB 501 PENINSULA DR WESTWOOD, CA 96137-9555 916-596-3282  
 LAKE ALMANOR INN WESTWOOD, CA 96137 916-596-3910  
 LAKE ALMANOR REAL ESTATE INC WESTWOOD, CA 96137 916-259-2337  
 LAKE ALMANOR REAL ESTATE INC 499 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3266  
 LAKE ALMANOR RESORT BIG SPRINGS RD WESTWOOD, CA 96137 916-596-3337  
 LAKE ALMANOR SPORTS 401 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-4411  
 LAKE ALMANOR VIDEO 318 PENINSULA DR WESTWOOD, CA 96137-9678 916-596-4202  
 LAKE ALMANOR WEST 111 SLIM DR WESTWOOD, CA 96137 916-259-4555  
 LAKE COVE RESORT & MARINA E SHR WESTWOOD, CA 96137 916-284-7697  
 LAKE HAVEN RESORT EASTSHORE WESTWOOD, CA 96137 916-596-3249  
 LASSEN BUILDING CENTER INC 318 ASH WESTWOOD, CA 96137 916-256-3141  
 LASSEN PEST CONTROL 503 MANZANITA WAY WESTWOOD, CA 96137-9547 916-596-3030  
 LASSEN TREE SERVICE 107 CIRCLE DR WESTWOOD, CA 96137 916-256-3367  
 LASSEN VIEW RESORT EASTSHORE WESTWOOD, CA 96137 916-596-3437  
 LEPAGE, FREDERICK A 3515 HILL CREST DR WESTWOOD, CA 96137-9767 916-596-3514  
 LITTLE NORWAY MARINE REPAIR 3718 BIG SPRINGS RD WESTWOOD, CA 96137-9783 916-596-3200  
 LTL NORWAY RESRT & BOAT RENT 432 PENINSULA DR WESTWOOD, CA 96137-9679 916-596-3225  
 LYNN JOELSON Box #-2915 WESTWOOD, CA 96137-2915 916-259-3280  
 MAPS & PROPERTY SALES 316 PENINSULA DR WESTWOOD, CA 96137-9678 916-596-3205  
 MASONIC TEMPLE CORNER WESTWOOD, CA 96137 916-256-3377  
 MATT DAVENPORT Box #-527 WESTWOOD, CA 96137-0527 916-257-4290  
 MCNEILL CONSTRUCTION 3420 WOODLAKE DR WESTWOOD, CA 96137-9714 916-596-4290  
 MCNEILL SOUND & SEC SYSTEMS 1222 PENINSULA DR WESTWOOD, CA 96137-9560 916-259-4627  
 MEB JEWELRY & LAPIDARY HAMILTON BRANCH WESTWOOD, CA 96137 916-596-3667  
 MEDICI LOGGING 69 DELWOOD WESTWOOD, CA 96137 916-256-3633  
 MICRO CONN 401 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-4457  
 MIKES APPLIANCE REPAIR 313 ELM WESTWOOD, CA 96137 916-256-3393  
 MIKES GRADING & BACKHOE SVC 3334 WOODLAKE DR WESTWOOD, CA 96137-9714 916-596-3557  
 MILLERS RESORT E SHR WESTWOOD, CA 96137 916-284-7407  
 MILLWOOD FLORIST & NURSERY 309 PENINSULA DR WESTWOOD, CA 96137-9682 916-596-4424  
 MOMS TREASURES ANTQS 406 ASH WESTWOOD, CA 96137 916-256-3945  
 MORRISONS WAREHOUSE 317 BIRCH WESTWOOD, CA 96137 916-256-3272  
 MOUNTAIN PROP REAL EST CO HAMILTON BRANCH HWY #-A13 WESTWOOD, CA 96137 916-596-3251  
 MURRAY & EDWARDS INS AGCY 319 BIRCH WESTWOOD, CA 96137 916-256-3218  
 NEW LIFE PAINTING & RENOVATING 2779 BIG SPRINGS RD WESTWOOD, CA 96137-9774 916-596-4316  
 NOR CAL PRESSURE CLEANING 614 CEDAR WESTWOOD, CA 96137 916-256-3060  
 NORTH COUNTIES REALTY 316 PENINSULA DR WESTWOOD, CA 96137-9678 916-596-3205  
 ON N ON BUILDERS 1123 PENINSULA DR WESTWOOD, CA 96137-9584 916-259-3456  
 OXYSHEAR 318 ASH WESTWOOD, CA 96137 916-256-3380  
 PAINTING PERFECTION BY PAT 511 MANZANITA WAY WESTWOOD, CA 96137-9547 916-596-4184  
 PAUL BUNYAN FAMILY RESORT 443 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-4293  
 PAYROLL SOLUTION WESTWOOD, CA 96137 916-259-2561  
 PENINSULA MARKET 309 PENINSULA DR WESTWOOD, CA 96137-9682 916-596-3500  
 PENINSULA SPORTS AND MARINE 321 PENINSULA DR WESTWOOD, CA 96137-9682 916-596-3822  
 PENINSULA STATION BAR & GRILL 401 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3538  
 PEOPLES CHURCH 500 CEDAR WESTWOOD, CA 96137 916-256-3707  
 PEREZ KIRBY VACUUM SALES & SVC 209 9TH WESTWOOD, CA 96137 916-256-2115  
 PLAYIN 320 BIRCH WESTWOOD, CA 96137 916-256-2489  
 PLUMAS BANK 315 BIRCH WESTWOOD, CA 96137 916-256-3207  
 PLUMAS PROPERTIES INC 425 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3203  
 PLUMAS SATELLITE WESTWOOD, CA 96137 916-596-4267  
 POGGI DIST 1105 HEMLOCK ST WESTWOOD, CA 96137 916-256-3732  
 POSNER STUDIO E SHR WESTWOOD, CA 96137 916-596-3412  
 PREFERRED BUILDERS 123 PENINSULA DR WESTWOOD, CA 96137-9680 916-596-3929

PROPERTY SERVICES INC 3747 STATE HIGHWAY 147 WESTWOOD, CA 96137-9759 916-284-7376  
 R L G ROUND MOUNTAIN ROCK Box #-938 WESTWOOD, CA 96137-0938 916-256-2245  
 R L G ROUND MOUNTAIN ROCK 7891 EASTSHORE HWY #-147 WESTWOOD, CA 96137 916-596-4367  
 RAINBO BREAD 319 ASH WESTWOOD, CA 96137 916-256-3069  
 RED RIVER LOUNGE 320 ASH WESTWOOD, CA 96137 916-256-2110  
 RENALDIS PIZZA PARLOR 401 PONDEROSA DR WESTWOOD, CA 96137-9567 916-596-3902  
 ROBBERS CREEK CYCLERY 724 BIRCH WESTWOOD, CA 96137 916-256-3232  
 RUSTY ROOST 671370 HWY 36 WESTWOOD, CA 96137 916-256-2127  
 SHARRON WATKINS BPKG SVC 718 PINE CANYON RD WESTWOOD, CA 96137-9564 916-259-3310  
 SHEAR DESIGN 3RD WESTWOOD, CA 96137 916-256-3525  
 SHORELINE TILE 6549 STATE HIGHWAY 147 WESTWOOD, CA 96137-9763 916-596-3344  
 SIERRA LANDSCAPE 6878 ALMANOR LAKE ESTA WESTWOOD, CA 96137 916-596-3362  
 SIERRA SEPTIC SERVICE WESTWOOD, CA 96137 916-256-3382  
 SIERRA SUPER STOP 7640 STATE HIGHWAY 147 WESTWOOD, CA 96137-9764 916-596-3236  
 SIGOR CORP 331 PENINSULA DR WESTWOOD, CA 96137-9682 916-596-3169  
 SOFIAS ATTIC 601 PENINSULA DR WESTWOOD, CA 96137-9556 916-596-3021  
 STORM & STORM CONSTRUCTION INC 3410 SPRINGWOOD CIR WESTWOOD, CA 96137-9702 916-596-3006  
 SUN TOUCH SKIN & BODY CARE STD 401 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-4510  
 SUNSHINE DESIGN WESTWOOD, CA 96137 916-256-3920  
 TECHNI GLASS INC 464725 COUNTY RD #-A21 WESTWOOD, CA 96137 916-256-3837  
 TERRA FIRMA TILE Box #-996 WESTWOOD, CA 96137-0996 916-256-3163  
 THARP, DON L WESTWOOD, CA 96137 916-596-3253  
 THAT SPECIAL LOOK 401 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3422  
 THIRD STREET EATERY 200 THIRD WESTWOOD, CA 96137 916-256-2740  
 TIM T BROWN CONSTRUCTION HWY A13 33 WESTWOOD, CA 96137 916-596-3334  
 TIMBER WOLF ENTERPRISES 3560 PARK HILL DR WESTWOOD, CA 96137-9716 916-596-4164  
 TOMS AUTO BODY & FBRLS SPCLST 464 855 HWY #-A21 WESTWOOD, CA 96137 916-256-2848  
 TOMS SIERRA CO 3RD WESTWOOD, CA 96137 916-256-3216  
 TRES AMIGOS MEXICAN CUISINE 401 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3538  
 TURNER EXCAVATING WESTWOOD, CA 96137 916-259-3953  
 UNITED NATL RON MARTIN RLTY 403 PENINSULA DR WESTWOOD, CA 96137-9683 916-596-3000  
 VALDEZS PLACE 301 BIRCH WESTWOOD, CA 96137 916-256-3343  
 VIDEO REVOLUTION 1157 LAKE RIDGE RD WESTWOOD, CA 96137-9533 916-259-5000  
 VILLA MONTE MOTEL HWY 36 & WESTWOOD Y SHOPP WESTWOOD, CA 96137 916-256-3493  
 VILLAGE INN 303 PENINSULA DR WESTWOOD, CA 96137-9682 916-596-3111  
 WATER SPORTS WESTWOOD, CA 96137 916-596-4444  
 WESTWOOD BODY & PAINT HWY 36 & WESTWOOD Y WESTWOOD, CA 96137 916-256-3243  
 WESTWOOD CHAMBER OF COMMERCE WESTWOOD, CA 96137 916-256-2456  
 WESTWOOD CMNTY SVC WTR & SWR 319 ASH WESTWOOD, CA 96137 916-256-3211  
 WESTWOOD COMMUNITY SERVICES Box #-F WESTWOOD, CA 96137-0833 916-256-3211  
 WESTWOOD DENTAL OFFICE 3RD WESTWOOD, CA 96137 916-256-3255  
 WESTWOOD FAMILY PRACTICE 201 3RD WESTWOOD, CA 96137 916-256-3152  
 WESTWOOD HIGH SCHOOL 4TH WESTWOOD, CA 96137 916-256-3235  
 WESTWOOD LIQUOR CO 324 ASH WESTWOOD, CA 96137 916-256-2377  
 WESTWOOD MINI STORAGE 406 ASH WESTWOOD, CA 96137 916-256-3945  
 WESTWOOD MUSIC & THINGS 324 CEDAR WESTWOOD, CA 96137 916-256-3210  
 WESTWOOD PHARMACY 313 BIRCH WESTWOOD, CA 96137 916-256-3784  
 WESTWOOD PINE PRESS 201 3RD WESTWOOD, CA 96137 916-256-2277  
 WESTWOOD QUICKMART COR HWY WESTWOOD, CA 96137 916-256-3668  
 WESTWOOD SANITATION WESTWOOD, CA 96137 916-596-3064  
 WESTWOOD SENIOR CITIZENS CLUB 2ND WESTWOOD, CA 96137 916-256-3009  
 WESTWOOD STATE PRE SCHOOL 602 ASH WESTWOOD, CA 96137 916-256-3712  
 WESTWOOD VIDEO 310 BIRCH WESTWOOD, CA 96137 916-256-3714  
 WOMACK CONSTRUCTION 461 FIREHOUSE WESTWOOD, CA 96137 916-596-3364  
 WORKING CONSTRUCTION 5810 E SHORE WESTWOOD, CA 96137 916-596-3811  
 Y SUPER MARKET HWY 36 & WESTWOOD Y SHOPP WESTWOOD, CA 96137 916-256-3783  
 YOUNGS SUPER MARKET 323 BIRCH WESTWOOD, CA 96137 916-256-3251  
 ZOOK REAL ESTATE APPRAISAL LAKE ALMANOR WESTWOOD, CA 96137 916-596-4101

JAMES B. HATFIELD, PE  
BENJAMIN F. DAWSON III, PE  
THOMAS M. ECKELS, PE  
STEPHEN S. LOCKWOOD, PE  
DAVID J. PINION, PE

PAUL W. LEONARD, PE  
ERIK C. SWANSON, EIT  
THOMAS S. GORTON, PE

HATFIELD & DAWSON  
CONSULTING ELECTRICAL ENGINEERS  
9500 GREENWOOD AVE. N.  
SEATTLE, WASHINGTON 98103

TELEPHONE  
(206) 783-9151  
FACSIMILE  
(206) 789-9834  
E-MAIL  
[hatdaw@hatdaw.com](mailto:hatdaw@hatdaw.com)  
MAURY L. HATFIELD, PE  
CONSULTANT  
Box 1326  
ALICE SPRINGS, NT 5950  
AUSTRALIA

**ENGINEERING STATEMENT**

**PETITION FOR RULEMAKING TO  
AMEND SECTION 73.202 OF THE RULES  
AND REGULATIONS FOR THE FEDERAL  
COMMUNICATIONS COMMISSION**

**TO ASSIGN FM CHANNEL 259A  
FOR USE AT WESTWOOD, CALIFORNIA**

**TOM F. HUTH**

**10/2001**

## **Engineering Statement**

This Engineering Statement has been prepared on behalf of Tom F. Huth ("Huth"), permittee of station KTOR 259A Chester, California, in support of a Petition for Rulemaking to amend §73.202 of the Commission's Rules to reallocate Channel 259A from Chester to Westwood, California, and modify the permit for station KTOR to specify operation at Westwood.

The proposed reallocation plan will provide several benefits:

1. The community of Westwood, with a 2000 Census population of 1,998 persons, will receive its first local service.
2. Additional aural service will be provided to 3,120 persons.
3. In accommodating the benefits listed above, no white or gray areas will be created. The only underserved area to be created is unpopulated.

### **Channel 259A at Westwood**

As outlined in the attached channel study, Channel 259A can be assigned for use at Westwood in compliance with the Commission's applicable Rules and Regulations regarding the separation among FM allotments. For this study the coordinates of a site on Dyer Mountain (NL 40° 14' 21" x WL 121° 01' 52") have been used. This site is 8 kilometers from Westwood, the coordinates of which are NL 40° 18' 22" x WL 121° 00' 17". The nominal distance to the 70 dBu F(50,50) contour for a Class A station is 16.2 kilometers. Therefore, this site will provide greater than 70 dBu coverage for all of Westwood.

**Hatfield & Dawson Consulting Engineers**

## SEARCH PARAMETERS

FM Database Date: 010917

Channel: 259A 99.7 MHz  
 Latitude: 40 14 21  
 Longitude: 121 1 52  
 Safety Zone: 50 km  
 Job Title: WESTWOOD 259A

Page 1

Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
K206CE APP	CHESTER CA	BPFT-010801ANT	205D 88.9	0.000 1218.0	DA 40-14-00 121-01-11	123.9	1.17 0.00	0 TRANS
K206BK APP	SUSANVILLE CA	BPFT-010802ABK	205D 88.9	0.250 55.0	DA 40-24-54 120-38-34	59.2	38.35 0.00	0 TRANS
K206CE LIC	CHESTER CA	BLFT-991020ACO	206D 89.1	0.000 1218.0	40-14-00 121-01-11	123.9	1.17 0.00	0 TRANS
K206BK LIC	SUSANVILLE CA	BLFT-951130TB	206D 89.1	0.250 55.0	DA 40-24-54 120-38-34	59.2	38.35 0.00	0 TRANS
KTOR CP	CHESTER CA	BPH-960806MD	259A 99.7	0.430 295.0	40-17-02 121-18-05	282.3	23.52 -91.48	115 SHORT
K259AK LIC	CARSON CITY NV	BLFT-000621AEW	259D 99.7	0.020 370.0	39-12-50 119-46-10	136.2	157.03 0.00	0 TRANS
KRCX-FM LIC	MARYSVILLE CA	BMLH-961108KB	260B 99.9	1.750 665.0	39-12-20 121-49-10	210.6	133.19 20.19	113 CLEAR
ADD NOTE:	QUINCY CA	RM-KS178	262C3 100.3	0.000 0.0	40-03-32 120-54-36	152.8	22.52 -19.48	42 SHORT
SEE DISCUSSION IN ENGINEERING STATEMENT.								
KHWG LIC	QUINCY CA	BLH-970130KC	262A 100.3	0.900 -343.0	39-56-14 120-56-51	168.0	34.28 3.28	31 CLOSE
KHWG CP	QUINCY CA	BPH-010427AAA	262A 100.3	0.900 -343.0	39-56-15 120-56-49	167.9	34.26 3.26	31 CLOSE

===== END OF FM SPACING STUDY FOR CHANNEL 259 =====

On July 3, 2001, Keily Miller ("Miller"), the licensee of station KHWG 262A at Quincy, California, filed a Petition for Rulemaking proposing the upgrade of KHWG to Channel 262C3. Miller's Petition is mutually-exclusive with a prior-filed application for facilities changes for station KTHX 261C1 at Dayton, Nevada (FCC File No. BPH-20010625AAC). The KTHX application was granted on September 24, 2001. Thus, Miller's Petition is considered moot with respect to the instant proposal.

#### **First Local Service**

The proposed allotment of Channel 259A at Westwood will provide the first local service to that community. Chester will retain full-time local service from station KBNF Channel 255C.

#### **Loss and Gain Areas**

The reallocation of Channel 259A from Chester to Westwood will involve a transmitter site change. Channel 259A at Chester provides service to 6,845 persons in a 2,515 km<sup>2</sup> area, while Channel 259A at Westwood will provide service to 9,523 persons in a 2,515 km<sup>2</sup> area.

The gain area will encompass 1,274 km<sup>2</sup> and a population of 3,120 persons. The loss area will encompass 1,274 km<sup>2</sup> and a population of 442 persons.

The proposed reallocation will not result in the creation of any white<sup>1</sup> or gray areas. Service to the loss area will continue to be provided by 22 AM and FM facilities<sup>2</sup>:

KNBR	680 kHz	San Francisco (Class A)
KGO	810 kHz	San Francisco (Class A)
KFBK	1530 kHz	Sacramento (Class A)
KLVC	202B	Magalia
KZFR	211B1	Chico
KCHO	219B	Chico
KJDX	227C	Susanville
KFMF	230B1	Chico
KMXI	236B	Chico
KNLF	240A	Quincy
KKXS	241A	Shingletown
Vacant	242C3	Susanville <sup>3</sup>
KZAP	244B1	Paradise
KNCQ	247C	Redding
KBNF	255C	Chester
KHWG	262A	Quincy
KHJQ	271C2	Susanville
KLVB	274C2	Red Bluff
KHSL	278B1	Paradise
KSHA	282C	Redding
KRDG	287C1	Shingletown
KRRX	291C	Burney

The proposed reallocation will result in the creation of one underserved area of 66 km<sup>2</sup>, which would be left with only four services. This area, however, is located in rugged terrain within the Lassen National Forest and the Lassen Volcanic National Park, and is unpopulated.

---

<sup>1</sup>KBNF 255C Chester provides service to 100% of the loss area.

<sup>2</sup>In determining reception service provided by FM stations, the area of service circumscribed by the station's 1.0 mV/m signal contour was considered, assuming 1) actual facilities for non-commercial stations operating on reserved channels, 2) maximum facilities for the class of station for stations (other than Class C stations) operating on non-reserved channels, and 3) minimum or existing Class C facilities, whichever is greater, for Class C stations. For clear channel Class A AM stations, the service area was defined by the station's 0.5 mV/m groundwave contour, based on its licensed facilities. For all other classes of full-time AM stations, reception service was defined as that service received within a station's nighttime interference-free contour.

<sup>3</sup>Channel 242C3 at Susanville is scheduled to be included in FM Auction #37.



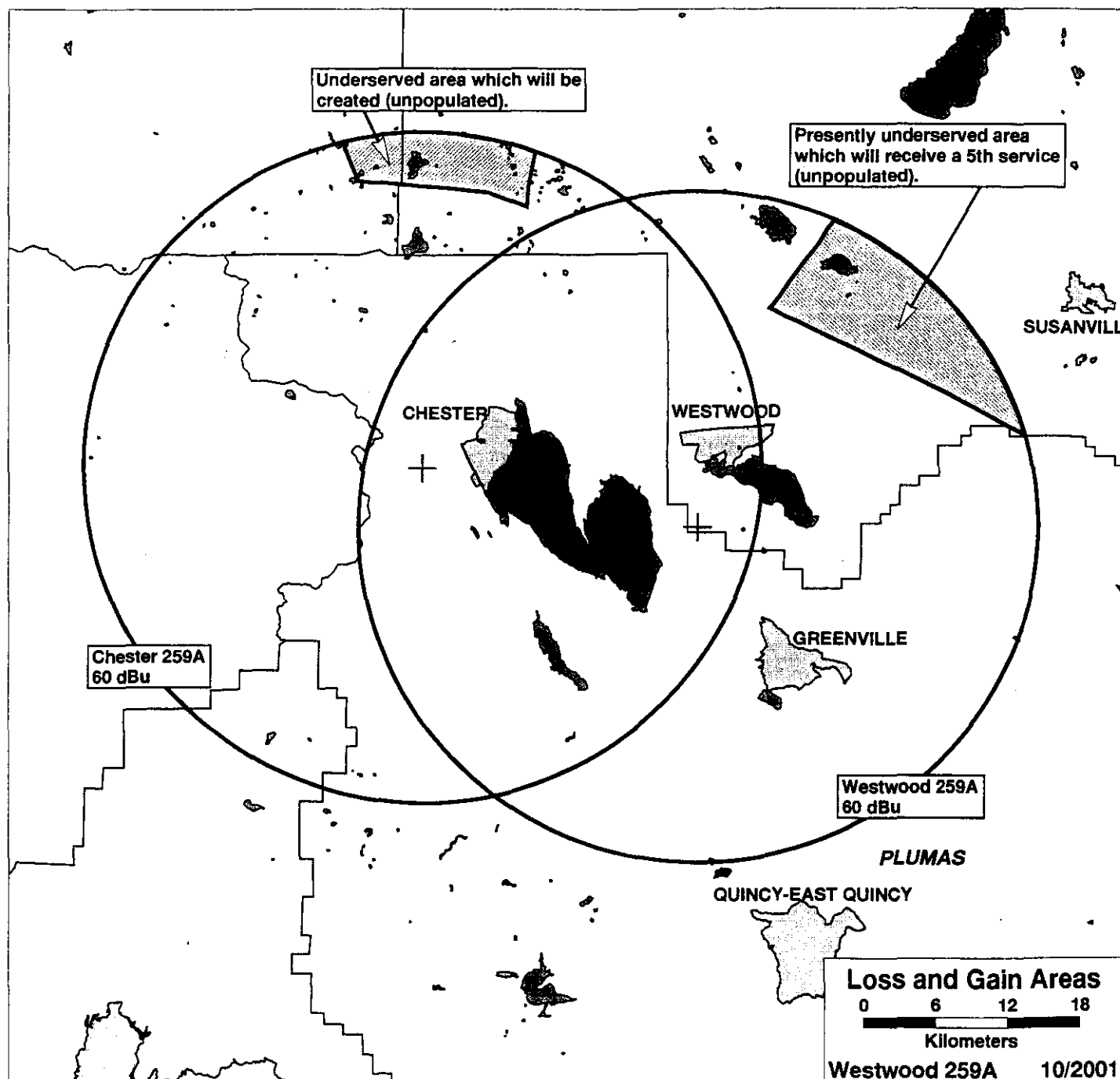
The proposed reallocation will not provide service to any white or gray areas. Service to the gain area is currently provided by 17 AM and FM facilities:

KNBR	680 kHz	San Francisco (Class A)
KGO	810 kHz	San Francisco (Class A)
KFBK	1530 kHz	Sacramento (Class A)
KLVC	202B	Magalia
KCHO	219B	Chico
KJDX	227C	Susanville
KFMF	230B1	Chico
KMXI	236B	Chico
KNLF	240A	Quincy
Vacant	242C3	Susanville
KZAP	244B1	Paradise
KBNF	255C	Chester
KHWG	262A	Quincy
KHJQ	271C2	Susanville
KHSL	278B1	Paradise
KRDG	287C1	Shingletown
KRRX	291C	Burney

Most of the gain area is considered to be well-served. The proposed reallocation will provide a fifth service to an area of 145 km<sup>2</sup>. This area, however, is located in rugged terrain within the Lassen National Forest and is unpopulated.

### **Tuck Analysis**

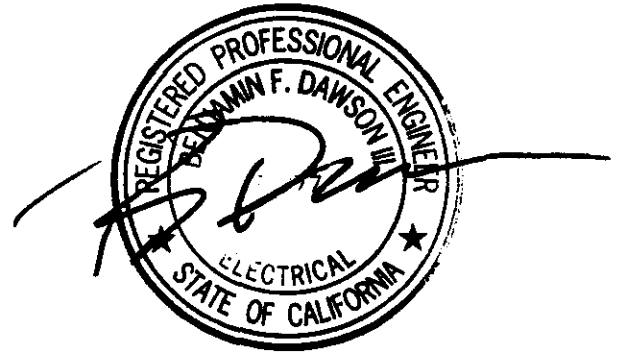
The allotment of Channel 259A at Westwood will not provide 70 dBu service to any Urbanized Area. Based upon these circumstances, no "Tuck" analysis is believed to be required in support of the proposed reallocation plan.



### **Statement of Engineer**

This Engineering Statement supporting a Petition for Rulemaking to revise the Table of Allotments at Chester and Westwood, California, has been prepared on behalf of Tom F. Huth. All representations herein are true to the best of my knowledge. I am an experienced radio engineer whose qualifications are a matter of record with the Federal Communications Commission. I am a partner in the firm of Hatfield & Dawson Consulting Engineers and am Registered as a Professional Engineer in the States of Washington and California.

Signed this 3<sup>rd</sup> day of October, 2001.



Benjamin F. Dawson III, P.E.

Hatfield & Dawson Consulting Engineers